

Revenue Stamps \$ _____

DEED FOR HIGHWAY RIGHT OF WAY

THIS INSTRUMENT DRAWN BY K. M. Smith CHECKED BY Hugh Thompson

The hereinafter described property ☐ Does ☒ Does not include the primary residence of the Grantor

RETURN TO: Division R/W Agent, NCDOT
815 Stadium Drive
Durham, NC 27704

NORTH CAROLINA
COUNTY OF Durham
TAX PARCEL 0824-03-05-7191

TIP/PARCEL NUMBER: U-2102 157
WBS ELEMENT: _____
ROUTE: Guess Road

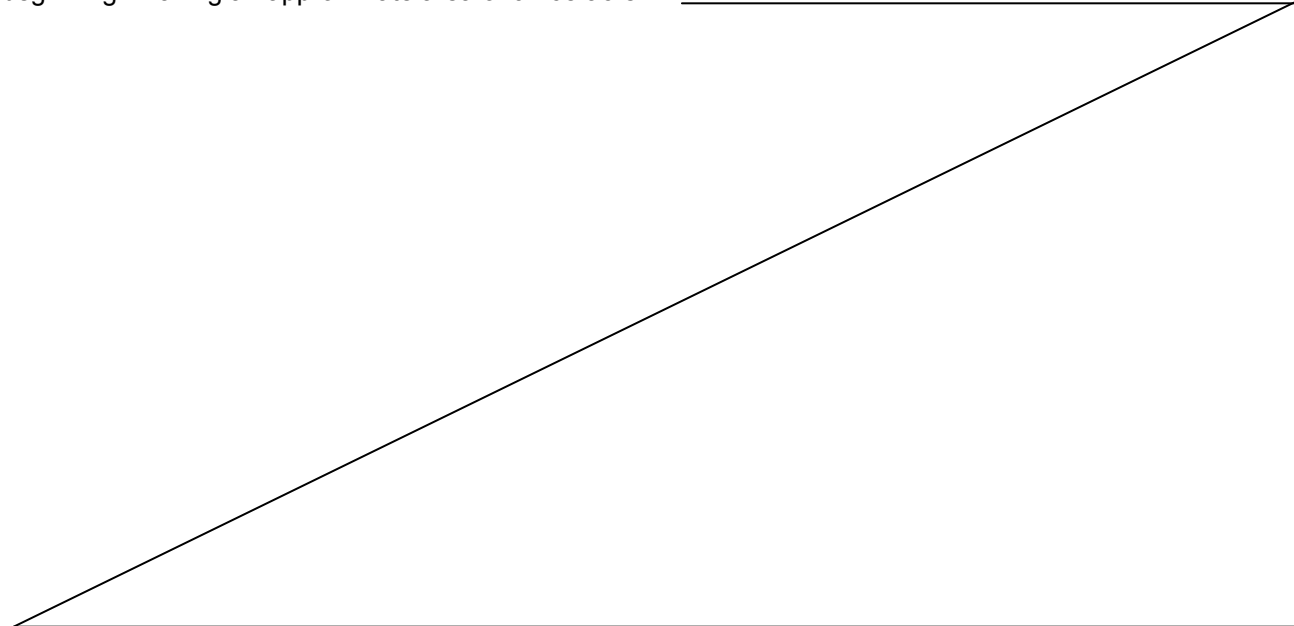
THIS FEE SIMPLE DEED, made and entered into this the _____ day of _____ 20 14
by and between the CITY OF DURHAM a municipal corporation, _____

hereinafter referred to as GRANTOR, and the NORTH CAROLINA DEPARTMENT OF TRANSPORTATION,
an agency of the State of North Carolina, 1546 Mail Service Center, Raleigh, NC 27611, hereinafter referred
to as the DEPARTMENT,

WITNESSETH

That the GRANTORS, for themselves, their heirs, successors, and assigns, for and in consideration
of the sum of \$ 1.00 agreed to be paid by the DEPARTMENT to the GRANTORS, do hereby
give, grant and convey unto the DEPARTMENT, its successors and assigns, in FEE SIMPLE that certain
property located in Durham Township, Durham County, North
Carolina, which is particularly described as follows:

Point of beginning being S 61°22'31" E, 13.19 feet from a point in the center line of -L- Rev., Sta 46+22.374;
thence to a point on a bearing of N 27°04'45" E, a distance of 374.10 feet; thence to a point on a bearing of S
17°27'05" W, a distance of 38.87 feet; thence to a point on a bearing of S 22°00'55" W, a distance of 338.08;
thence to a point on a bearing N 61°22'31" W, a distance of 36.35 feet; returning to the point and place of
beginning. Having an approximate area of 0.168 acre. _____



IN ADDITION, and for the aforesated consideration, the GRANTORS further hereby convey to the DEPARTMENT, its successors and assigns the following described areas and interests:

Temporary Construction Easement Area I described as follows: Point of beginning being N 61°22'31" W, 49.54 feet from a point in the center line of -L- Rev, Sta. 46+22.374; thence to a point on a bearing of N 22°00'55" E, a distance of 89.78 feet; thence to a point on a bearing of S 12°47'07" W, a distance of 53.18 feet; thence to a point on a bearing of S 22°50'01" W, a distance of 38.21 feet; thence to a point on a bearing of N 61°22'31" W, a distance of 8.04; returning to the point of and place of beginning. Having an approximate area of 0.012 acre.

It is understood and agreed that the Department shall have the right to construct and maintain the cut and/or fill slopes in the above described temporary easement area(s) until such time that the property owners alter the adjacent lands in such a manner that the cut and/or fill slopes are no longer needed for the lateral support of the roadway. Any additional construction areas lying beyond the cut and/or fill slopes and extending beyond the right of way limits and beyond any permanent easement areas will terminate upon completion and acceptance of the project.

Temporary Construction Easement Area II described as follows: Point of beginning being S 61°22'31" E, 57.58 feet from a point in the center line of -L- Rev, Sta. 46+22.374; thence to a point on a bearing of N 22°50'01" E, a distance of 38.21; thence to a point on a bearing of N 12°47'07" E, a distance of 53.18; thence to a point on a bearing of N 22°00' 55 E, a distance of 248.30 feet; thence to a point on a bearing of N 17°27'05" E, a distance of 38.87; thence to a point on a bearing of S 62°31'11" E, a distance of 9.17 feet; thence to a point on a bearing of S 15°33'23" W, a distance of 33.85; thence to a point on a bearing of S 22°00'58" W, a distance of 196.76 feet; thence to a point on a bearing of S 17°12'06" W, a distance of 148.66 feet; thence to a point on a bearing of N 61°22'31" W, a distance of 14.43 feet; returning to the point of and place of beginning. Having an approximate area of .094 acre.

The above described temporary construction easement will terminate upon completion and acceptance of the project.

SPECIAL PROVISIONS. This deed is subject to the following provisions only:

NONE

The property hereinabove described was acquired by the GRANTORS by instrument(s) recorded in the Durham County Registry in Deed Book 361 Page 62 .

The final right of way plans showing the above described right of way are to be certified and recorded in the Office of the Register of Deeds for said County pursuant to N.C.G.S. 136-19.4, reference to which plans is hereby made for purposes of further description and for greater certainty.

The Grantors acknowledge that the project plans for Project # U-2102 have been made available to them. The Grantors further acknowledge that the consideration stated herein is full and just compensation pursuant to Article 9, Chapter 136 of the North Carolina General Statutes for the acquisition of the said interests and areas by the Department of Transportation and for any and all damages to the value of their remaining property; for any and all claims for interest and costs; for any and all damages caused by the acquisition for the construction of Department of Transportation Project # U-2102 , Durham County, and for the past and future use of said areas by the Department of Transportation, its successors and assigns for all purposes for which the said Department is authorized by law to subject the same.

TO HAVE AND TO HOLD the aforesaid premises and all privileges and appurtenances thereunto belonging to the DEPARTMENT, its successors and assigns in FEE SIMPLE, or by easement as indicated, for the past, present and future use thereof and for all purposes which the said Department is authorized by law to subject the same.

And the GRANTORS covenant with the DEPARTMENT, that the GRANTORS are seized of the premises in fee simple, have the right to convey the same in fee simple, or by easement as indicated, that the title thereto is marketable and free and clear of all encumbrances, and that the GRANTORS will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated. Title to the property hereinabove described is hereby conveyed subject to the following exceptions:
NONE

IN WITNESS WHEREOF, the GRANTORS have hereunto set their hands and seals (or if corporate, has caused the instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors) the day and year first above written.

